



PRELIMINARY DRAFT

No. 3516

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2006 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 6-1.1-18.5-21; IC 6-3.5-6-18.5;
IC 8-22-3-11.6; IC 36-3; IC 36-8.

Synopsis: Marion County fire consolidation. Consolidates the fire departments of the townships, fire protection territories, and the airport authority into the fire department of a consolidated city on January 1, 2007. Establishes a procedure for the fire department of an excluded city to be consolidated into the fire department of a consolidated city if the legislative body of the excluded city and the city-county legislative body adopt substantially similar ordinances authorizing the consolidation. Requires the fire department of a consolidated city to establish, operate, and maintain emergency ambulance services in the county after December 31, 2006.

Effective: July 1, 2006; January 1, 2007.



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 6-1.1-18.5-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 21. (a) The ad valorem property tax levy limits imposed by this chapter do not apply to ad valorem property taxes imposed by a consolidated city to pay or fund any indebtedness assumed, defeased, paid, or refunded under IC 36-3-1-6.1 or IC 36-3-1-6.3.**

(b) For property taxes first due and payable each year beginning in 2007, the maximum permissible ad valorem property tax levy for a consolidated city is increased each year by an amount equal to the lesser of:

(1) the difference between:

(A) the maximum permissible ad valorem property tax levy under section 3 of this chapter for the current year for the consolidated city's fire special service district created under IC 36-3-1-6; and

(B) the amount levied that year for the fire special service district; or

(2) ten percent (10%) of the maximum permissible ad valorem property tax levy under section 3 of this chapter for property taxes first due and payable in 2007 for the consolidated city's fire special service district created under IC 36-3-1-6.

SECTION 2. IC 6-3.5-6-18.5, AS AMENDED BY P.L.234-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 18.5. (a) This section applies to a county containing a consolidated city.**

(b) Notwithstanding section 18(e) of this chapter, the distributive shares that each civil taxing unit in a county containing a consolidated city is entitled to receive during a month equals the following:

(1) For the calendar year beginning January 1, 1995, calculate the total amount of revenues that are to be distributed as distributive



- 1 shares during that month multiplied by the following factor:
- | | | |
|----|----------------------------|--------|
| 2 | Center Township | .0251 |
| 3 | Decatur Township | .00217 |
| 4 | Franklin Township | .0023 |
| 5 | Lawrence Township | .01177 |
| 6 | Perry Township | .01130 |
| 7 | Pike Township | .01865 |
| 8 | Warren Township | .01359 |
| 9 | Washington Township | .01346 |
| 10 | Wayne Township | .01307 |
| 11 | Lawrence-City | .00858 |
| 12 | Beech Grove | .00845 |
| 13 | Southport | .00025 |
| 14 | Speedway | .00722 |
| 15 | Indianapolis/Marion County | .86409 |
- 16 (2) Notwithstanding subdivision (1), for the calendar year
- 17 beginning January 1, 1995, the distributive shares for each civil
- 18 taxing unit in a county containing a consolidated city shall be not
- 19 less than the following:
- | | | |
|----|---------------------|-------------|
| 20 | Center Township | \$1,898,145 |
| 21 | Decatur Township | \$164,103 |
| 22 | Franklin Township | \$173,934 |
| 23 | Lawrence Township | \$890,086 |
| 24 | Perry Township | \$854,544 |
| 25 | Pike Township | \$1,410,375 |
| 26 | Warren Township | \$1,027,721 |
| 27 | Washington Township | \$1,017,890 |
| 28 | Wayne Township | \$988,397 |
| 29 | Lawrence-City | \$648,848 |
| 30 | Beech Grove | \$639,017 |
| 31 | Southport | \$18,906 |
| 32 | Speedway | \$546,000 |
- 33 (3) For each year after 1995, calculate the total amount of
- 34 revenues that are to be distributed as distributive shares during
- 35 that month as follows:
- 36 STEP ONE: Determine the total amount of revenues that were
- 37 distributed as distributive shares during that month in calendar
- 38 year 1995.
- 39 STEP TWO: Determine the total amount of revenue that the
- 40 department has certified as distributive shares for that month
- 41 under section 17 of this chapter for the calendar year.
- 42 STEP THREE: Subtract the STEP ONE result from the STEP
- 43 TWO result.
- 44 STEP FOUR: If the STEP THREE result is less than or equal
- 45 to zero (0), multiply the STEP TWO result by the ratio
- 46 established under subdivision (1).



STEP FIVE: Determine the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5, IC 12-19-7, and IC 12-19-7.5 for each civil taxing unit for the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund; divided by

(B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5, IC 12-19-7, and IC 12-19-7.5 for all civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund.

STEP SIX: If the STEP THREE result is greater than zero (0), the STEP ONE amount shall be distributed by multiplying the STEP ONE amount by the ratio established under subdivision (1).

STEP SEVEN: For each taxing unit determine the STEP FIVE ratio multiplied by the STEP TWO amount.

STEP EIGHT: For each civil taxing unit determine the difference between the STEP SEVEN amount minus the product of the STEP ONE amount multiplied by the ratio established under subdivision (1). The STEP THREE excess shall be distributed as provided in STEP NINE only to the civil taxing units that have a STEP EIGHT difference greater than or equal to zero (0).

STEP NINE: For the civil taxing units qualifying for a distribution under STEP EIGHT, each civil taxing unit's share equals the STEP THREE excess multiplied by the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5, IC 12-19-7, and IC 12-19-7.5 for the qualifying civil taxing unit during the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund; divided by

(B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5, IC 12-19-7, and IC 12-19-7.5 for all qualifying civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund.

(4) This subdivision does not apply to Center Township. For the calendar year beginning January 1, 2007, sixty-six percent (66%) of the revenues to be distributed as distributive shares during each month to the townships listed in subdivision (1)



are distributed as additional distributive shares to Indianapolis/Marion County, and the township distributive shares are reduced by sixty-six percent (66%).

SECTION 3. IC 8-22-3-11.6, AS ADDED BY P.L.227-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11.6. (a) This section applies only to an airport authority established for a county having a consolidated city.

(b) ~~The legislative body of the consolidated city and the governing body of the airport authority may adopt substantially similar ordinances providing that After December 31, 2006, the fire department of the airport authority is consolidated into the fire department of the consolidated city under IC 36-3-1-6.1, and that the fire department of the consolidated city shall provide fire protection services for the airport authority. If ordinances are adopted under this section, the consolidation shall take effect on the date agreed to by the legislative body of the consolidated city and the governing body of the airport authority in the ordinances.~~

(c) **This subsection applies only if a consolidated law enforcement department is established under IC 36-3-1-5.1. Notwithstanding section 11 of this chapter,** the legislative body of the consolidated city ~~and the governing body of the airport authority may adopt substantially similar ordinances an ordinance providing that the law enforcement services of the airport authority are consolidated into the consolidated law enforcement department of the consolidated city, and that the law enforcement department of the consolidated city shall provide law enforcement services for the airport authority. If ordinances are adopted under this section, the consolidation shall take effect on the date agreed to by the legislative body of the consolidated city and the governing body of the airport authority in the ordinances.~~

SECTION 4. IC 36-3-1-6.1, AS ADDED BY P.L.227-2005, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6.1. (a) This section applies only in a county containing a consolidated city. ~~If the requirements of subsection (g) are satisfied, Except as provided in section 6.3 of this chapter, after December 31, 2006, the fire departments of the following are consolidated into the fire department of a consolidated city (referred to as "the consolidated fire department"):~~

(1) A township for which the consolidation is approved by the township legislative body and trustee and the legislative body and mayor of the located in a county having a consolidated city.

(2) ~~Any~~ A fire protection territory established under IC 36-8-19 that is located in a township described in subdivision (1): county having a consolidated city.

(3) The territory in which an airport authority established for a consolidated city under IC 8-22-3 may provide fire



1 **protection services.**

2 (b) If the requirements of subsection (g) are satisfied; **Except as**
 3 **provided in section 6.3 of this chapter, after December 31, 2006,** the
 4 consolidated fire department shall provide fire protection services
 5 within an entity described in subsection (a)(1) or (a)(2) in which the
 6 requirements of subsection (g) are satisfied on the date agreed to in the
 7 resolution of the township legislative body and the ordinance of the
 8 legislative body of the consolidated city: **for the entire county.**

9 (c) If the requirements of subsection (g) are satisfied and the fire
 10 department of an entity listed in subsection (a) is consolidated into the
 11 fire department of the consolidated city; All of the property, equipment,
 12 records, rights, and contracts of the department consolidated into the
 13 fire department of the consolidated city **fire department of a township**
 14 **or territory listed in subsection (a) are:**

15 (1) transferred to; or

16 (2) assumed by;

17 the consolidated city. ~~on the effective date of the consolidation.~~
 18 However, real property other than real property used as a fire station
 19 may be transferred only on terms mutually agreed to by the legislative
 20 body and mayor of the consolidated city and the trustee and legislative
 21 body of the township in which that real property is located:

22 (d) If the requirements of subsection (g) are satisfied and the fire
 23 department of an entity listed in subsection (a) is consolidated into the
 24 fire department of the consolidated city The employees of the fire
 25 department consolidated into the fire department of the consolidated
 26 city **department of a township or territory listed in subsection (a)**
 27 **cease employment with the department of the entity township or**
 28 **territory listed in subsection (a) and become employees of the**
 29 **consolidated fire department on the effective date of the consolidation:**
 30 **after December 31, 2006. For purposes of IC 36-8-3.2 and**
 31 **IC 36-8-10.5, the employees are not "hired" or "rehired" by the**
 32 **consolidated city upon becoming employees of the consolidated fire**
 33 **department.** The consolidated city shall assume all agreements with
 34 labor organizations that:

35 (1) are in effect ~~on the effective date of the consolidation;~~ **after**
 36 **December 31, 2006;** and

37 (2) apply to employees of the department consolidated into the
 38 fire department of the consolidated city **townships or territories**
 39 **listed in subsection (a) who become employees of the**
 40 **consolidated fire department.**

41 (e) If the requirements of subsection (g) are satisfied and the fire
 42 department of an entity listed in subsection (a) is consolidated into the
 43 fire department of a consolidated city; **Except as provided in**
 44 **subsection (h), the consolidated city shall assume, defease, pay, or**
 45 **refund all of the indebtedness related to fire protection services**
 46 **incurred before the effective date of the consolidation January 1,**



2007, by the entity or a building, holding, or leasing corporation on behalf of the entity whose fire department is consolidated into the consolidated fire department under subsection (a). ~~shall remain the debt of the entity and does not become and may not be assumed by the consolidated city. Indebtedness related to fire protection services that is incurred by the consolidated city before the effective date of the consolidation shall remain the debt of the consolidated city and property taxes levied to pay the debt may only be levied by the fire special service district.~~

(f) If the requirements of subsection (g) are satisfied and the fire department of an entity listed in subsection (a) is consolidated into the fire department of a consolidated ~~After December 31, 2006~~, the merit board and the merit system of the ~~each~~ fire department that of a **township or territory listed in subsection (a)** is consolidated are dissolved ~~on the effective date of the consolidation~~; and the duties of the merit boards are transferred to and assumed by the merit board for the consolidated fire department. ~~on the effective date of the consolidation.~~

(g) A township legislative body, after approval by the township trustee, may adopt a resolution approving the consolidation of the township's fire department with the fire department of the consolidated city. A township legislative body may adopt a resolution under this subsection only after the township legislative body has held a public hearing concerning the proposed consolidation. The township legislative body shall hold the hearing not earlier than thirty (30) days after the date the resolution is introduced. The hearing shall be conducted in accordance with IC 5-14-1.5 and notice of the hearing shall be published in accordance with IC 5-3-1. If the township legislative body has adopted a resolution under this subsection, the township legislative body shall, after approval from the township trustee, forward the resolution to the legislative body of the consolidated city. If such a resolution is forwarded to the legislative body of the consolidated city, the legislative body of the consolidated city may adopt an ordinance, approved by the mayor of the consolidated city, approving the consolidation of the fire department of the township into the fire department of the consolidated city and the requirements of this subsection are satisfied. The consolidation shall take effect on the date agreed to by the township legislative body in its resolution and by the legislative body of the consolidated city in its ordinance approving the consolidation.

(h) The following apply if the requirements of subsection (g) are satisfied:

(1) The consolidation of the fire department of that township is effective on the date agreed to by the township legislative body in the resolution and by the legislative body of the consolidated city in its ordinance approving the consolidation.



~~(2)~~

(g) Notwithstanding any other Indiana law, in order to assume, defease, pay, or refund all or a part of the indebtedness described in subsection (e), the consolidated city is not required to comply with any other statutory procedures or approvals that apply when a unit incurs indebtedness.

(h) Notwithstanding subsections (e) and (g), the consolidated city may not assume all or a portion of the indebtedness described in subsection (e) that will exceed the limitations on the amount of indebtedness that the consolidated city may incur. The part of the indebtedness described in subsection (e) that exceeds the consolidated city's debt limitations remains the debt of the entity that incurred the debt or the building, holding, or leasing corporation on behalf of the entity that incurred the debt.

(i) This subsection applies to the indebtedness or a bond, bond resolution, trust agreement or indenture, security agreement, purchase agreement, or other undertaking described in subsection (e). The rights of the trustee and the bondholders remain the same. The powers, duties, agreements, and liabilities of a township or territory listed in subsection (a) are transferred to the consolidated city, and the consolidated city assumes those powers, duties, agreements, and liabilities.

(j) The consolidated city may levy property taxes on taxable property located within the area served by the consolidated fire department in order to provide for the payment of the expenses for the operation of the consolidated fire department.

(k) Subject to IC 36-3-6-4.1, the fire special service district established under IC 36-3-1-6 may levy property taxes only to satisfy the consolidated city's 1937 firefighters' pension obligations under IC 36-8-7-14.

(l) The consolidated city's cumulative building and equipment fund for fire protection and related services is established. The consolidated city is exempted from the requirements of IC 36-8-14 and IC 6-1.1-41 regarding:

(1) establishment of the cumulative building and equipment fund for fire protection and related services; and

(2) an increase to the levy for that fund.

(m) Notwithstanding any other provision, a firefighter:

~~(A)~~ (1) who is a member of the 1977 fund before the effective date of a consolidation under this section; **January 1, 2007**; and

~~(B)~~ (2) who, after the consolidation, becomes an employee of the fire department of a consolidated city under this section;

remains a member of the 1977 fund without being required to meet the requirements under IC 36-8-8-19 and IC 36-8-8-21. The firefighter shall receive credit for any service as a member of the 1977 fund before the consolidation to determine the firefighter's eligibility for benefits



under IC 36-8-8.

~~(3)~~ **(n)** Notwithstanding any other provision, a firefighter:

~~(A)~~ **(1)** who is a member of the 1937 fund before ~~the effective date of a consolidation under this section;~~ **January 1, 2007;** and

~~(B)~~ **(2)** who, after the consolidation, becomes an employee of the fire department of a consolidated city under this section;

remains a member of the 1937 fund. The firefighter shall receive credit for any service as a member of the 1937 fund before the consolidation to determine the firefighter's eligibility for benefits under IC 36-8-7.

~~(4)~~ For property taxes first due and payable in the year in which the consolidation is effective, the maximum permissible ad valorem property tax levy under IC 6-1.1-18.5:

~~(A)~~ is increased for the consolidated city by an amount equal to the maximum permissible ad valorem property tax levy in the year preceding the year in which the consolidation is effective for fire protection and related services by the township whose fire department is consolidated into the fire department of the consolidated city under this section; and

~~(B)~~ is reduced for the township whose fire department is consolidated into the fire department of the consolidated city under this section by the amount equal to the maximum permissible ad valorem property tax levy in the year preceding the year in which the consolidation is effective for fire protection and related services for the township.

~~(5)~~ The amount levied in the year preceding the year in which the consolidation is effective by the township whose fire department is consolidated into the fire department of the consolidated city for the township's cumulative building and equipment fund for fire protection and related services is transferred on the effective date of the consolidation to the consolidated city's cumulative building and equipment fund for fire protection and related services, which is hereby established. The consolidated city is exempted from the requirements of IC 36-8-14 and IC 6-1.1-41 regarding establishment of the cumulative building and equipment fund for fire protection and related services.

~~(6)~~ **(o)** The local boards for the 1937 firefighters' pension fund and the 1977 police officers' and firefighters' pension and disability fund of ~~the~~ **a township located in a county containing a consolidated city** are dissolved, and their services are terminated ~~not later than the effective date of the consolidation.~~ **after December 31, 2006.** The duties performed by the local boards under IC 36-8-7 and IC 36-8-8, respectively, are assumed by the consolidated city's local board for the 1937 firefighters' pension fund and local board for the 1977 police officers' and firefighters' pension and disability fund, respectively. Notwithstanding any other provision, the legislative body of the consolidated city may adopt an ordinance to adjust the membership of



the consolidated city's local board to reflect the consolidation.

(7) The consolidated city may levy property taxes within the consolidated city's maximum permissible ad valorem property tax levy limit to provide for the payment of the expenses for the operation of the consolidated fire department. However, property taxes to fund the pension obligation under IC 36-8-7 for members of the 1937 firefighters fund who were employees of the consolidated city at the time of the consolidation may be levied only by the fire special service district within the fire special service district. The fire special service district established under IC 36-3-1-6 may levy property taxes to provide for the payment of expenses for the operation of the consolidated fire department within the territory of the police special service district. Property taxes to fund the pension obligation under IC 36-8-8 for members of the 1977 police officers' and firefighters pension and disability fund who were members of the fire department of the consolidated city on the effective date of the consolidation may be levied only by the fire special service district within the fire special service district. Property taxes to fund the pension obligation for members of the 1937 firefighters fund who were not members of the fire department of the consolidated city on the effective date of the consolidation and members of the 1977 police officers' and firefighters pension and disability fund who were not members of the fire department of the consolidated city on the effective date of the consolidation may be levied by the consolidated city within the city's maximum permissible ad valorem property tax levy. However, these taxes may be levied only within the fire special service district and any townships that have consolidated fire departments under this section.

(8) The executive of the consolidated city shall provide for an independent evaluation and performance audit, due before March 1 of the year in which the consolidation is effective and for the following two (2) years, to determine:

(A) the amount of any cost savings, operational efficiencies, or improved service levels; and

(B) any tax shifts among taxpayers;

that result from the consolidation. The independent evaluation and performance audit must be provided to the legislative council in an electronic format under IC 5-14-6 and to the state budget committee.

SECTION 5. IC 36-3-1-6.2, AS ADDED BY P.L.227-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6.2. (a) If a consolidated fire department is established under section 6.1 of this chapter, **After December 31, 2006**, the consolidated city, through the consolidated fire department shall ~~after the consolidation~~ establish, operate, and maintain emergency



1 ambulance services (as defined in IC 16-18-2-107) in the fire special
 2 service district and in those townships in the county. that are
 3 consolidated under section 6.1 of this chapter.

4 (b) This section does not prohibit the providing of emergency
 5 ambulance services under an interlocal agreement under IC 36-1-7.

6 SECTION 6. IC 36-3-1-6.3 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2006]: Sec. 6.3. (a) After December 31, 2006, the consolidated
 9 fire department may not provide fire protection services for:

10 (1) an excluded city; or

11 (2) a fire protection territory for which an excluded city is a
 12 provider unit (as defined in IC 36-8-19-3);

13 unless the consolidated city enters into an interlocal agreement
 14 under IC 36-1-7 to provide the services or the conditions in
 15 subsection (b) are met.

16 (b) Except as provided in IC 36-1-7, in order for the
 17 consolidated fire department to provide fire protection services to
 18 an excluded city, all the following must occur:

19 (1) The legislative body of the excluded city and the
 20 city-county legislative body must adopt substantially similar
 21 ordinances authorizing the consolidation of the fire
 22 department of the excluded city into the consolidated fire
 23 department.

24 (2) The ordinances described in subdivision (1) must:

25 (A) specify the effective date of the consolidation; and

26 (B) set forth the conditions of the consolidation.

27 (c) After the effective date of the consolidation described in
 28 subsection (b), the consolidated fire department shall provide fire
 29 protection services within the territory of the excluded city.

30 (d) After the effective date of the consolidation described in
 31 subsection (b), all the property, equipment, records, rights, and
 32 contracts of the fire department of the excluded city are:

33 (1) transferred to; or

34 (2) assumed by;

35 the consolidated city.

36 (e) After the effective date of the consolidation described in
 37 subsection (b), the employees of the fire department of the excluded
 38 city cease employment with the excluded city and become
 39 employees of the consolidated fire department. For purposes of
 40 IC 36-8-3.2 and IC 36-8-10.5, the employees are not "hired" or
 41 "rehired" by the consolidated city upon becoming employees of the
 42 consolidated fire department. The consolidated city shall assume
 43 all agreements with labor organizations that:

44 (1) are in effect after the effective date of the consolidation
 45 described in subsection (b); and

46 (2) apply to employees of the fire department of the excluded



city who become employees of the consolidated fire department.

(f) Except as provided in subsection (h), the consolidated city shall assume, defease, pay, or refund all indebtedness related to fire protection services incurred before the effective date of the consolidation described in subsection (b) by:

(1) an excluded city; or

(2) a building, holding, or leasing corporation on behalf of an excluded city;

whose fire department is consolidated into the consolidated fire department under subsection (b).

(g) Notwithstanding any other Indiana law, in order to assume, defease, pay, or refund all or a part of the indebtedness described in subsection (f) the consolidated city is not required to comply with any other statutory procedures or approvals that apply when a unit incurs indebtedness.

(h) Notwithstanding subsections (f) and (g), the consolidated city may not assume all or a part of the indebtedness described in subsection (f) that will exceed the limitations on the amount of indebtedness that the consolidated city may incur. The portion of the indebtedness described in subsection (f) that exceeds the consolidated city's debt limitations remains the debt of the excluded city or the building, holding, or leasing corporation on behalf of the excluded city that incurred the debt.

(i) This subsection applies to the indebtedness or a bond, bond resolution, trust agreement or indenture, security agreement, purchase agreement, or other undertaking described in subsection (f). The rights of the trustee and the bondholders remain the same. The powers, duties, agreements, and liabilities of the fire department of the excluded city are transferred to the consolidated city, and the consolidated city assumes those powers, duties, agreements, and liabilities.

(j) When an excluded city consolidates its fire department into the consolidated fire department under subsection (b), the local boards for the 1937 firefighters' pension fund and the 1977 police officers' and firefighters' pension and disability fund of the excluded city are dissolved and their services are terminated not later than the effective date of the consolidation. The duties performed by the local boards under IC 36-8-7 and IC 36-8-8, respectively, are assumed by the consolidated city's local board for the 1937 firefighters' pension fund and the local board for the 1977 police officers' and firefighters' pension and disability fund, respectively.

(k) When an excluded city consolidates its fire department into the consolidated fire department under subsection (b), the merit board and merit system of the excluded city's fire department is



dissolved, and the duties of the merit board are transferred and assumed by the merit board for the consolidated fire department.

(l) When an excluded city consolidates its fire department into the consolidated fire department under subsection (b), for property taxes first due and payable in the year in which the consolidation is effective, the maximum permissible ad valorem property tax levy under IC 6-1.1-18.5:

(1) is increased for the consolidated city; and

(2) is reduced for the excluded city;

by the amount equal to the property tax levy of the excluded city for the year preceding the year in which the consolidation is effective for fire protection and related services.

(m) When an excluded city consolidates its fire department into the consolidated fire department under subsection (b), the balance on the effective date of the consolidation in the excluded city's cumulative building and equipment fund for fire protection and related services is transferred on that date to the consolidated city's cumulative building and equipment fund for fire protection and related services.

SECTION 7. IC 36-3-6-4.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 4.1. Notwithstanding IC 36-8-7, the special service district council may not adopt an ordinance under section 7 of this chapter that levies a tax within the fire special service district in an amount and at a rate that is greater than the amount and the rate necessary to produce sufficient revenue to satisfy the consolidated city's 1937 firefighters' pension fund obligations under IC 36-8-7-14.

SECTION 8. IC 36-3-7-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) Notwithstanding any other law, the consolidated city may issue obligations to refund obligations issued before January 1, 2007, in the name of:

(1) a township;

(2) an airport authority;

(3) a fire protection territory; or

(4) a building, holding, or leasing corporation on behalf of a township, an airport authority, or a fire protection territory; to satisfy the requirements of IC 36-3-1-6.1(e), IC 36-3-1-6.1(h), and IC 36-3-1-6.1(i).

(b) Notwithstanding any other Indiana law, the consolidated city may issue obligations to refund obligations issued before the effective date of a consolidation described in IC 36-3-1-6.3(b) by:

(1) an excluded city; or

(2) a building, holding, or leasing corporation on behalf of an excluded city;



1 **to satisfy the requirements of IC 36-3-1-6.3(f), IC 36-3-1-6.3(g), and**
 2 **IC 36-3-1-6.3(h).**

3 SECTION 9. IC 36-8-7-1, AS AMENDED BY P.L.227-2005,
 4 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2006]: Sec. 1. (a) This chapter applies to pension benefits for
 6 members of fire departments hired before May 1, 1977, in units for
 7 which a 1937 fund was established before May 1, 1977.

8 (b) A firefighter with twenty (20) years of service is covered by this
 9 chapter and not by IC 36-8-8 if the firefighter:

10 (1) was hired before May 1, 1977;

11 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
 12 1981); and

13 (3) is rehired after April 30, 1977, by the same employer.

14 (c) A firefighter is covered by this chapter and not by IC 36-8-8 if
 15 the firefighter:

16 (1) was hired before May 1, 1977;

17 (2) did not convert under IC 19-1-36.5-7 (repealed September 1,
 18 1981);

19 (3) was rehired after April 30, 1977, but before February 1, 1979;
 20 and

21 (4) was made, before February 1, 1979, a member of a 1937 fund.

22 (d) A firefighter who:

23 (1) is covered by this chapter before ~~a consolidation under~~
 24 ~~IC 36-3-1-6.1; January 1, 2007; and~~

25 (2) **after December 31, 2006**, becomes a member of a fire
 26 department of a consolidated city under IC 36-3-1-6.1;

27 is covered by this chapter after ~~the effective date of the consolidation~~
 28 **December 31, 2006**, and the firefighter's service as a member of a fire
 29 department of a consolidated city is considered active service under
 30 this chapter.

31 SECTION 10. IC 36-8-7-4, AS AMENDED BY P.L.227-2005,
 32 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JANUARY 1, 2007]: Sec. 4. (a) If a unit has less than five (5) members
 34 in its fire department, the unit may provide for the organization of a
 35 local board consisting of the fire chief, the executive of the unit, and
 36 one (1) member of the fire department.

37 (b) The trustee from the fire department shall be elected under this
 38 section.

39 (c) The local board may amend the bylaws of the fund to elect the
 40 trustee from the fire department in an election held on any three (3)
 41 consecutive days in February specified in the bylaws. The election shall
 42 be called by the fire chief and held at the house or quarters of the fire
 43 department. Subject to this section, the election shall be conducted in
 44 the manner specified in the bylaws.

45 (d) This subsection applies only if the local board does not elect to
 46 be governed by subsection (c). The trustee from the fire department



1 shall be elected at a meeting held on the second Monday in February
2 each year. The meeting shall be called by the fire chief and held at the
3 house or quarters of the fire department.

4 (e) The term of the elected trustee is one (1) year beginning
5 immediately after the trustee's election.

6 (f) Each member of the department is entitled to one (1) ballot and
7 the person receiving the highest number of votes is elected. The
8 executive of the unit, the fire chief, and the city or county clerk shall
9 canvass and count the ballots, and the clerk shall issue a certificate of
10 election to the person having received the highest number of votes. If
11 two (2) persons have received the same number of votes, the executive
12 and the chief shall immediately determine by lot who will be the trustee
13 from the persons receiving an equal number of votes.

14 ~~(g) This section does not apply to a township if the fire department~~
15 ~~of the township is consolidated under IC 36-3-1-6.1.~~

16 SECTION 11. IC 36-8-7-5, AS AMENDED BY P.L.227-2005,
17 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JANUARY 1, 2007]: Sec. 5. (a) An election shall be held each year
19 under this section to elect one (1) trustee from the active members of
20 the fire department for a term of four (4) years, commencing on the day
21 of his election. The fire chief shall fix a time for holding a convention
22 to nominate candidates for trustees to be elected at each election. Each
23 convention must be held at least five (5) days before the day on which
24 the annual election is held. A convention consists of one (1) delegate
25 from each fire company and one (1) delegate to be selected by the chief
26 and the chief's assistants. The delegate from each fire company shall be
27 elected by ballot by the members of the company at a time to be fixed
28 by the chief in the call for a convention. The election of delegates shall
29 be certified by the captain or other officer of the company, or, if there
30 is not an officer present, then by the oldest member of the company
31 present. The convention, when assembled, shall nominate six (6)
32 members of the fire department to be voted upon as trustees, and the
33 delegates shall report the names of the persons nominated as candidates
34 to their respective companies in writing.

35 (b) The local board may amend the bylaws of the fund to elect the
36 trustee from the active members of the fire department in an election
37 held on any three (3) consecutive days in February specified in the
38 bylaws. The election shall be called by the fire chief and held at the
39 house or quarters of the respective companies of the fire department.
40 Subject to this section, the election shall be conducted in the manner
41 specified in the bylaws.

42 (c) This subsection applies only if the local board does not elect to
43 be governed by subsection (b). The election shall be held at the houses
44 or quarters of the respective companies on the second Monday in
45 February between 9 a.m. and 6 p.m.

46 (d) Each member of a fire company is entitled to one (1) ballot, and



1 the ballot may not contain the names of more than one (1) person,
 2 chosen from the six (6) persons nominated by the convention. The
 3 candidate receiving the highest number of votes is elected.

4 (e) The captain or other officer in command of each of the fire
 5 companies, immediately after the casting of all ballots, shall canvass
 6 and count the ballots. The captain or other officer shall certify in
 7 writing the total number of ballots cast and the number of votes
 8 received by each candidate for the office of trustee. After signing the
 9 certificate, the officer shall enclose it, together with all the ballots cast
 10 by the fire company, in an envelope, securely sealed and addressed,
 11 and deliver them to the fire chief. The fire chief shall deliver them to
 12 the executive of the unit as soon as the chief receives all the certificates
 13 and ballots. Upon receipt the executive shall, in the presence of the
 14 chief and the clerk of the unit, open the envelopes, examine the
 15 certificates, and determine the total number of votes cast for each of the
 16 candidates. The executive shall then issue a certificate of election to the
 17 candidate having received the highest number of votes. If two (2) or
 18 more candidates have received the same number of votes, the executive
 19 and the chief shall immediately determine by lot who will be trustee
 20 from the persons receiving an equal number of votes. An election may
 21 not be set aside for lack of formality in balloting by the members or in
 22 certifying or transmitting the returns of an election by the officers in
 23 charge.

24 ~~(f) This section does not apply to a township if the fire department~~
 25 ~~of the township is consolidated under IC 36-3-1-6.1.~~

26 SECTION 12. IC 36-8-7-6, AS AMENDED BY P.L.227-2005,
 27 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JANUARY 1, 2007]: Sec. 6. (a) An election shall be held under this
 29 section every two (2) years to elect one (1) trustee from the retired
 30 members of the fire department for a term of two (2) years,
 31 commencing on the day of the trustee's election, if the retired list
 32 contains at least three (3) retired members at the time of election. The
 33 fire chief shall fix a time for holding a convention to nominate
 34 candidates for trustee to be elected at each election. Each convention
 35 must be held at least fifteen (15) days before the day on which the
 36 biennial election is held. All retired members of the fire department
 37 may participate in the convention. The convention, when assembled,
 38 shall nominate not more than four (4) members of the retired list to be
 39 voted upon as trustee. The secretary of the board shall mail the names
 40 of the persons nominated along with an official ballot to the retired
 41 members within forty-eight (48) hours of the end of the convention.

42 (b) The election shall be conducted by mail. Each retired member
 43 is entitled to cast one (1) ballot by mail and the ballot may not contain
 44 more than one (1) name, chosen from the list of retired persons
 45 nominated by the convention. The candidate receiving the highest
 46 number of votes by 6 p.m. on the second Monday in February or an



alternative date in February specified in the bylaws of the fund is elected.

(c) The ballots must remain closed and inviolate until the close of the election, at which time, in the presence of the executive of the unit, the fire chief, and the clerk of the unit, the ballots shall be opened and counted. A certificate of election shall be issued to the candidate receiving the highest number of votes. If two (2) or more candidates receive the same number of votes, the executive and the chief shall immediately determine by lot who will be trustee from the persons receiving an equal number of votes.

~~(d) This section does not apply to a township if the fire department of the township is consolidated under IC 36-3-1-6.1.~~

SECTION 13. IC 36-8-7-6.5, AS AMENDED BY P.L.227-2005, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 6.5. (a) All ballots voted under this chapter shall be secured until the balloting is closed.

(b) Tampering with a ballot for an election under this chapter is a Class A infraction.

~~(c) This section does not apply to a township if the fire department of the township is consolidated under IC 36-3-1-6.1.~~

SECTION 14. IC 36-8-7-7, AS AMENDED BY P.L.227-2005, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 7. (a) The fire chief is the president of the local board.

(b) At the first meeting after each election, the local board shall elect a secretary, who may be chosen from among the trustees. However, the local board may consider it proper to have a secretary who is a member of the fire department, to be elected by the companies for a term of four (4) years in the same manner as the election for trustees. The secretary shall keep a full record of all the proceedings of the local board in a book provided for that purpose.

(c) The local board shall make all rules necessary for the discharge of its duties and shall hear and determine all applications for relief or pensions under this chapter.

~~(d) This section does not apply to a township if the fire department of the township is consolidated under IC 36-3-1-6.1.~~

SECTION 15. IC 36-8-8-1, AS AMENDED BY P.L.227-2005, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. This chapter applies to:

- (1) full-time police officers hired or rehired after April 30, 1977, in all municipalities, or who converted their benefits under IC 19-1-17.8-7 (repealed September 1, 1981);
- (2) full-time fully paid firefighters hired or rehired after April 30, 1977, or who converted their benefits under IC 19-1-36.5-7 (repealed September 1, 1981);
- (3) a police matron hired or rehired after April 30, 1977, and



before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996;

(4) a park ranger who:

(A) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;

(B) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and

(C) is employed by the parks department of a city having a population of more than one hundred twenty thousand (120,000) but less than one hundred fifty thousand (150,000);

(5) a full-time fully paid firefighter who is covered by this chapter before ~~the effective date of consolidation~~ **January 1, 2007**, and **after December 31, 2006**, becomes a member of the fire department of a consolidated city under IC 36-3-1-6.1, provided that the firefighter's service as a member of the fire department of a consolidated city is considered active service under this chapter;

(6) except as otherwise provided, a full-time fully paid firefighter who is hired or rehired after ~~the effective date of the consolidation~~ **December 31, 2006**, by a consolidated fire department established under IC 36-3-1-6.1;

(7) a full-time police officer who is covered by this chapter before the effective date of consolidation and becomes a member of the consolidated law enforcement department as part of the consolidation under IC 36-3-1-5.1, provided that the officer's service as a member of the consolidated law enforcement department is considered active service under this chapter; and

(8) except as otherwise provided, a full-time police officer who is hired or rehired after the effective date of the consolidation by a consolidated law enforcement department established under IC 36-3-1-5.1;

except as provided by section 7 of this chapter.

SECTION 16. IC 36-8-8-2.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2.1. (a) As used in this chapter, "local board" means the following:

(1) For a unit that established a 1925 fund for its police officers, the local board described in IC 36-8-6-2.

(2) **Except as provided in subdivision (3)**, for a unit that established a 1937 fund for its firefighters, the local board described in IC 36-8-7-3.

(3) For a unit that established a 1937 fund for its firefighters and consolidates its fire department into the fire department of a consolidated city under IC 36-3-1-6.1 or IC 36-3-1-6.3:

(A) before the date the consolidation is effective, the local



board described in IC 36-8-7-3; and

(B) on and after the date the consolidation is effective, the local board, established under IC 36-8-7-3, of the consolidated city.

(4) For a consolidated city that established a 1953 fund for its police officers, the local board described in IC 36-8-7.5-2.

(5) For a unit, other than a consolidated city, that did not establish a 1925 fund for its police officers or a 1937 fund for its firefighters, the local board described in subsection (b) or (c).

(b) If a unit did not establish a 1925 fund for its police officers, a local board shall be composed in the same manner described in IC 36-8-6-2(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

(c) Except as provided in subsection (d), if a unit did not establish a 1937 fund for its firefighters, a local board shall be composed in the same manner described in IC 36-8-7-3(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

(d) If a unit located in a county containing a consolidated city did not establish a 1937 fund for its firefighters and consolidates its fire department into the fire department of the consolidated city under IC 36-3-1-6.1 or IC 36-3-1-6.3:

(1) before the date the consolidation is effective, the local board described in IC 36-8-7-3; and

(2) on and after the date the consolidation is effective, the local board, established under IC 36-8-7-3, of the consolidated city.

SECTION 17. IC 36-8-8-7, AS AMENDED BY P.L.227-2005, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 7. (a) Except as provided in subsections (d), (e), (f), (g), (h), (k), (l), and (m): ~~and (n):~~

(1) a police officer; or

(2) a firefighter;

who is less than thirty-six (36) years of age and who passes the baseline statewide physical and mental examinations required under section 19 of this chapter shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires the police officer or firefighter chooses to contribute to the 1977 fund the amount necessary to amortize the police officer's or firefighter's prior service liability over a period of not more than forty (40) years, the amount and the period to be determined by the PERF board. If the employer chooses to make



the contributions, the police officer or firefighter is entitled to receive credit for the police officer's or firefighter's prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30, 1977, with the police or fire department of an employer covered by this chapter.

(d) A police officer or firefighter with twenty (20) years of service does not become a member of the 1977 fund and is not covered by this chapter, if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981); and
- (3) is rehired after April 30, 1977, by the same employer.

(e) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);
- (3) was rehired after April 30, 1977, but before February 1, 1979; and
- (4) was made, before February 1, 1979, a member of a 1925, 1937, or 1953 fund.

(f) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

- (1) was hired by the police or fire department of a unit before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);
- (3) is rehired by the police or fire department of another unit after December 31, 1981; and
- (4) is made, by the fiscal body of the other unit after December 31, 1981, a member of a 1925, 1937, or 1953 fund of the other unit.

If the police officer or firefighter is made a member of a 1925, 1937, or 1953 fund, the police officer or firefighter is entitled to receive credit for all the police officer's or firefighter's years of service, including years before January 1, 1982.

(g) As used in this subsection, "emergency medical services" and "emergency medical technician" have the meanings set forth in



IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

- (1) is employed by a unit that is participating in the 1977 fund;
- (2) was employed as an emergency medical technician by a political subdivision wholly or partially within the department's jurisdiction;
- (3) was a member of the public employees' retirement fund during the employment described in subdivision (2); and
- (4) ceased employment with the political subdivision and was hired by the unit's fire department due to the reorganization of emergency medical services within the department's jurisdiction;

shall participate in the 1977 fund. A firefighter who participates in the 1977 fund under this subsection is subject to sections 18 and 21 of this chapter.

(h) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the individual was appointed as:

- (1) a fire chief under a waiver under IC 36-8-4-6(c); or
- (2) a police chief under a waiver under IC 36-8-4-6.5(c);

unless the executive of the unit requests that the 1977 fund accept the individual in the 1977 fund and the individual previously was a member of the 1977 fund.

(i) A police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996, is a member of the 1977 fund.

(j) A park ranger who:

- (1) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;
- (2) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and
- (3) is employed by the parks department of a city having a population of more than one hundred twenty thousand (120,000) but less than one hundred fifty thousand (150,000);

is a member of the fund.

(k) Notwithstanding any other provision of this chapter, a police officer or firefighter:

- (1) who is a member of the 1977 fund before a consolidation under IC 36-3-1-5.1, ~~or~~ IC 36-3-1-6.1, **or IC 36-3-1-6.3;**
- (2) whose employer is consolidated into the fire department of a consolidated city under IC 36-3-1-5.1, ~~or~~ IC 36-3-1-6.1, **or IC 36-3-1-6.3;** and
- (3) who, after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1, ~~or~~ IC 36-3-1-6.1, **or**



IC 36-3-1-6.3;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(l) Notwithstanding any other provision of this chapter, a police officer or firefighter who:

(1) before a consolidation under IC 36-3-1-5.1 or IC 36-3-1-6.1, provides law enforcement services or fire protection services for an entity in a consolidated city;

(2) has the provision of those services consolidated into **the consolidated law enforcement department or** the fire department of a consolidated city; and

(3) after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(m) A police officer or firefighter who is a member of the 1977 fund under subsection (k) or (l):

(1) may not be:

(1) (A) retired for purposes of section 10 of this chapter; or

(2) (B) disabled for purposes of section 12 of this chapter;

solely because of a change in employer under the consolidation;
and

(2) shall receive credit for all years of service as a member of the 1977 fund before consolidation under IC 36-3-1-6.1 or IC 36-3-1-6.3.

SECTION 18. IC 36-8-13-1, AS AMENDED BY P.L.227-2005, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2007]: Sec. 1. This chapter applies to all townships, ~~However, this chapter does not apply to a township in which the fire department of the township has been consolidated under IC 36-3-1-6.1.~~ **except a township located in a county having a consolidated city.**

SECTION 19. IC 36-8-19-1.5, AS ADDED BY P.L.227-2005, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1.5. ~~¶ (a) After the fire department of a township is consolidated under IC 36-3-1-6.1, after the effective date of the consolidation the township may not establish fire protection territory under this chapter.~~ **only the consolidated city or an excluded city may establish a fire protection territory under this chapter.**

(b) A fire protection territory that is established before ~~the effective date of the consolidation in a township in which the township's fire department~~ **January 1, 2007, by a unit that** is consolidated under IC 36-3-1-6.1 becomes part of the geographic area in which the fire department of a consolidated city provides fire protection services.

SECTION 20. IC 36-8-4.3 IS REPEALED [EFFECTIVE JANUARY 1, 2007].



1 SECTION 21. [EFFECTIVE JULY 1, 2006] (a) For property taxes
 2 first due and payable in 2007, the maximum permissible ad
 3 valorem property tax levy under IC 6-1.1-18.5:

4 (1) is increased for a consolidated city by the amount equal to
 5 the property tax levy for taxes first due and payable in 2006
 6 for fire protection and related services by each:

7 (A) township;

8 (B) airport authority; or

9 (C) fire protection territory;

10 whose fire department is consolidated into the fire
 11 department of a consolidated city under IC 36-3-1-6.1, as
 12 amended by this act; and

13 (2) is reduced for:

14 (A) a township;

15 (B) an airport authority; or

16 (C) a fire protection territory;

17 whose fire department is consolidated into the fire
 18 department of a consolidated city under IC 36-3-1-6.1, as
 19 amended by this act, by the amount equal to the property tax
 20 levy for taxes first due and payable in 2006 for fire protection
 21 and related services by the township, airport authority, fire or
 22 protection territory.

23 (b) This SECTION expires January 1, 2008.

24 SECTION 22. [EFFECTIVE JANUARY 1, 2007] (a) The balance
 25 on January 1, 2007, in the cumulative building and equipment fund
 26 for fire protection and related services of each:

27 (1) township;

28 (2) airport authority; or

29 (3) fire protection territory;

30 whose fire department is consolidated into the fire department of
 31 a consolidated city under IC 36-3-1-6.1, as amended by this act, is
 32 transferred on that date to the consolidated city's cumulative
 33 building and equipment fund for fire protection and related
 34 services.

35 (b) This SECTION expires January 1, 2008.

